

HOUSE No. 1905

By Mr. Smizik of Brookline, petition of Frank I. Smizik and others concerning the rights of persons receiving services from programs or facilities of the Department of Mental Health to daily access to the outdoors and fresh air. Mental Health and Substance Abuse.

The Commonwealth of Massachusetts

PETITION OF:

Frank I. Smizik	John W. Scibak
Bruce E. Tarr	Douglas W. Petersen
Barbara A. L'Italian	Anthony J. Verga
Gale D. Candaras	Rachel Kaprielian
Robert K. Coughlin	Alice K. Wolf
William N. Brownsberger	Michael W. Morrissey
Ellen Story	Elizabeth A. Malia
Matthew C. Patrick	

In the Year Two Thousand and Seven.

AN ACT CONCERNING THE RIGHTS OF PERSONS RECEIVING SERVICES FROM PROGRAMS OR FACILITIES OF THE DEPARTMENT OF MENTAL HEALTH TO DAILY ACCESS TO FRESH AIR AND THE OUTDOORS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 23 of Chapter 123 of the General Laws as appearing in
2 the 2002 Official Addition is hereby amended by inserting after sub-
3 section (e) the following subsection:— (f) The right to daily access
4 to fresh air and the outdoors.

5 Said Section 23 of Chapter 123 as appearing is hereby further
6 amended by striking out the letter (c) and inserting in place thereof
7 the following:—(f)

8 The third paragraph of Section 23 of Chapter 123 is hereby
9 amended by inserting in sentence one after the letter (c) the
10 wording:—and (f)

11 The third paragraph of Section 23 of Chapter 123 is hereby
12 amended by inserting after sentence one the following sentence:—

13 The signing of a three-day notice shall not constitute a basis for
14 suspending the rights set forth in clause (f).

15 The third paragraph of Section 23 of Chapter 123 is hereby
16 amended by inserting in sentence two after the word suspension the
17 words:— of any right.